

## Year-Long Assembly Units Urged

Washington Post Staff Writer

ANNAPOLIS, Nov. 6 — A Maryland legislative unit decided in principle tonight that General Assembly committees should meet throughout the year to consider a mounting burden of complex legislation.

The Legislative Council's subcommittee on legislative organization and procedure thus agreed with the main thrust of proposals made by two groups that recommended streamlining of the law-making machinery.

It did not, however, decide between the somewhat different approaches recommended by a Maryland citizens' commission headed by George S. Wills of Baltimore and by the Eagleton Institute of Politics of Rutgers University.

Most between-session activity now is conducted by the Legislative Council, composed of 30 legislators, which makes recommendations to the Legislature itself. House Speaker Marvin Mandel (D-Baltimore), chairman of the subcommittee, said it is too often a "dumping ground" for controversial or otherwise difficult bills.

The Wills commission recommended that the Council be retained and strengthened to oversee activities of legislative committees meeting between sessions. The Eagleton study, prepared at a cost to the State of \$40,000, recommended outright abolition of the Council and creation of new joint Senate-House interim committees.

In both instances, the between-sessions committees would carry information and recommendations back to the regular legislative committees on which their members also would serve.

Creation of joint units is made difficult by the different committee structures in the two chambers.

# Explanations Sought For Money Bills

By Paul Samuel

A special legislative committee has voted to recommend to the Legislative Council a proposal which would require all spending and revenue bills in the General Assembly to carry explanations and estimates of their fiscal impact.

Under the recommendation, standing committees in either House could not vote upon a fiscal impact bill or joint resolution unless it is "accompanied by a fiscal note or a waiver of a fiscal note."

## Fiscal Note

A fiscal note is a statement attached to proposed legislation containing an estimate of the effect the passage of the bill or resolution would have on the expenditures and revenues of the State Government.

The committee, headed by Senator Blair Lee (D., Montgomery), also voted yesterday to recommend in its proposal that:

1. The fiscal note will be prepared either by the Department of Fiscal Services—a new State agency whose creation the council voted last week to submit to the General Assembly—or by a State agency designated by the as yet unestablished department.
2. The fiscal note will esti-



BLAIR LEE

mate the impact of a bill or resolution for the fiscal year in which it would become effective and for several years thereafter. The length of time would depend on whether the measure deals with expenditure or revenue.

3. Members of the Legislature and the public will be able to see a fiscal note at least one day before a committee hearing on the bill in question.

4. If amendments are added to bills which change their

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## Details Sought For Money Bills

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revenue effects, either in committee or on the floor, their fiscal notes must also be revised.

5. Bills which do not have fiscal impact shall carry waivers of fiscal notes, but if they are amended so as to have a fiscal effect, notes must be prepared.

### Frustrating Practices

The Lee committee recommendation is designed to change practices which have frustrated legislators in the past by making it difficult for them to obtain comprehensible information on fiscal impact bills.

The proposal, which was adopted unanimously by the committee, must also be approved by the council's Budget and Finance Committee and by the council itself before being submitted to the General Assembly.

Fiscal notes were made mandatory by the 1963 General Assembly, but the procedure was repealed the following year when it became evident that the understaffed agencies responsible for preparing the notes could not cope with the work involved.

## Round One

The Constitutional Convention showed yesterday that it is up to handling a complex and politically difficult reform. It emerged from its first great political floor fight with both the convention and its design for a future General Assembly in good shape.

After all the rancor and maneuvering and compromising, two basic innovations for Maryland passed. It was a fair trade. The urban people forced a reform on the rural professional politicians and the country people forced one on the city and big county political pros. A county can no longer count on having its own representative, as such, at Annapolis, if its population does not warrant one. With the vastly increased home rule that is expected, it won't really need one. And in the big counties and Baltimore city, single-member districts will put legislators and constituents in much closer touch with each other, and reduce the automatic power now enjoyed by district political organizations.

The size of the Legislature, fixed at 120 delegates and 40 senators, represents a compromise on the high side, aimed at assuaging many of the legislator-delegates. Actually, such factors as pay, staffing, and effective organization rather than the number of its members will determine what the quality of the future General Assembly will be. The convention is off to a good start in deciding the most difficult matters in committee-of-the-whole.

# LEGISLATURE CUT IS ASKED

Senate Of 35, House Of 105  
Urged; 45 Would Be Out

By DAVID C. GOELLER

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membership of 43, while the House of Delegates has 142. Basic mathematics show that 45 senators and delegates will be out of jobs if the committee stand survives the convention floor and the referendum next May 14.

After having determined size and a 3-to-1 House-Senate ratio, the committee then voted 14 to 3 that each member of the House should stand for election from a single-member district.

A giant step away from Maryland tradition, the single-member district plan is expected to be about as popular with many incumbent legislators as the idea that one quarter of them will automatically lose their seats.

Politically oriented delegates at the convention already were predicting tonight that the smaller legislature and the one-delegate districts will produce a strong, experienced lobby against the new constitution.

## Unicameral Idea Rejected

In fact, most of today's committee recommendations to the convention went far beyond both the draft produced by the convention commission and the testimony of a string of legislators who advocated little or no change in their General Assembly.

The revolutionary attitude of the committee became apparent this afternoon after it rejected by 14 to 4 a proposal that the legislature be made a unicameral body.

The winds of change were signaled in a 10-to-8 vote in favor of a motion to rename the House of Delegates the House of Representatives, as the lower house is known in most states.

The handful of unicameralists on the committee did manage to poll sufficient votes to send a minority report to the convention floor.

Those voting against the sweeping changes are also numerous enough to bring their own minority reports to the floor, where nearly every committee stand taken today could produce heated debate.

The most prolonged committee discussion came over the size of the future House, and Senate. Before the 35-105 limit was adopted, the members rejected motions for ratios of 40-140, 40-120 and 40-80, as well as the draft constitution's plan to permit the legislature to determine its own size.

The voting on size was marked by a fluid shifting of members until the 35-105 compromise was struck, after once having been rejected.

Almost anti-climatic was the vote on single-member districts, a move that is likely to wreck havoc with the existing political balances of power in Baltimore city and the metropolitan counties, where from three to eight delegates now represent the same district.

The same single-member principle would also effect Baltimore city's senators, two of whom now come from each of the six legislative districts.

Coupled with the single-member stand was an anti-gerrymandering provision that each Senate district be comprised of three complete House districts.

## Would Share Districts

And it is anticipated that the tandem of the smaller legislature and the one-man, one-vote requirement will produce another political bombshell. Unless a genius draws the next reapportionment plan, Baltimore city and county and Prince Georges and Montgomery counties will have to share some legislative districts.

The committee also decided that a senator or delegate must live in his district for six months before being able to run. Set aside for tomorrow were decisions on session length and legislative salaries.

Earlier committee discussions, however, have indicated that the unit is disposed to higher pay and granting power to determine the length of General Assembly sessions.

# DELEGATES FAVOR CUT IN ASSEMBLY

Senate Of 35, House Of 105  
Urged; 45 Would Be Out

By DAVID C. GOELLER

(Annapolis Bureau of The Sun)

Annapolis, Oct. 25—A Constitutional Convention committee voted today to retain Maryland's bicameral General Assembly but recommended that the new constitution reduce the size of both houses significantly.

The two-house legislature survived easily as the legislative branch committee produced all-but-final votes on their recommendations on the future structure of the General Assembly.

The bicameral system, however, was just about the only major item of the legislative status quo still standing tonight.

By an 11-to-7 margin the committee decided that the Maryland Senate be composed of not more than 35 members and the lower house number no more than 105 members.

The present Senate has a  
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## Panel Starts Reviewing Con-Con Decisions

By Jonathan Cottin  
(Staff Correspondent)

Annapolis — The Legislative Branch Committee began reconsideration today of a series of major constitutional convention decisions it made last night.

But the panel, after voting 13-7 for reconsideration, started to confirm its earlier decisions, first voting 15-5 to reduce the legislative membership to 105 in the House and 35 in the Senate.

Still to be reargued is the thorny question of whether Senators and House members must run from single-member districts an issue deeply disturbing to state legislatures.

### Abramson's Prediction

Meanwhile, the chairman of Baltimore's House delegation predicted that a Constitutional Convention committee's decision favoring single-member legislative districts will produce "little political kingdoms" and a "parochial" General Assembly.

Delegate Murray Abramson (D., 4th), a member of the convention, also declared it will be "much more difficult" to get progressive legislation through a legislature composed of lawmakers from tiny political enclaves.

The veteran lawmaker said representatives from separate districts will be unable to vote their consciences because of the limited geographical area and smaller population base from which they would hail.

### Current Membership

Currently, the House of Delegates has 32 multi-member districts, one of which has eight members.

Supporters of the single-man district argued it would bring

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## Panel Starts Reviewing Con-Con Decisions

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the lawmakers closer to the people and help minorities.

But Mr. Abramson predicted a city delegation of 30 members, each from a different district, will lack unanimity on almost every key issue, seriously jeopardizing chances for tax reform and civil rights legislation.

### Legislation This Year

This year's reapportioned Legislature embraced a limited open housing law and embarked

Maryland on the graduated income tax, 50 years after the concept was first adopted on the Federal level.

Mr. Abramson added that there will be constant battles over public works construction in Baltimore, with each district representative engaged in endless "log rolling," leaving needed public facilities uncompleted.

He asserted the single-member district concept will "break down respected political organizations."

### Predicts Floor Challenge

In their place will spring up "Little kingdoms led by persons whose motives we can't be sure of," the Fourth district Democrat said.

While he predicted the 14-3 committee vote would be challenged on the convention floor, Mr. Abramson reluctantly envisioned its passage.

And he stated his conviction that he and most other lawmakers will support voter ratification of the new charter in the May, 1968, referendum despite unhappiness over the single-member district requirement.

## Legislative Fear Can Overdo Executive, Convention Told

By GENE OISHI

The chairman of the Citizens Commission on Maryland Government warned yesterday that the distrust of legislators entertained by some delegates to the Constitutional Convention could lead them to write a constitution containing an over-powerful executive branch.

George S. Wills, the commission chairman, said that while the mood of the convention delegates appears to favor strengthening the powers of the Governor there appears to be no corresponding confidence in the General Assembly.

### Limit On Days And Pay

Specifically, Mr. Wills criticized the proposals to retain the constitutional restrictions on the number days the Legislature may meet and to fix salaries for legislators constitutionally.

In a preview of a speech he is scheduled to deliver today at a Rotary Club meeting in Gaithersburg, Md., Mr. Wills said:

"When 90 days and \$8,000, no more no less, are fed into the constitution as restrictions on the Legislature, there is the implication of distrust.

"We have just as much of fear, or trust, in the office of the Governor, and even though a large grant of power may vest wisely today under the leadership of an Agnew, Maryland must have some protection against future unstable or unwise executive power.

"That protection is the Legislature."

Mr. Wills stressed that his commission generally favors increasing the salaries of legislators and expanding the current 70-day sessions to 90 days. But these decisions, he said, should be left to the Legislature.

Mr. Wills noted that the present Constitution sets legislative salaries at \$2,400, a restriction which has led legislators "to compensate themselves through the back door."

He referred to the per diem payments which legislators get between sessions, as well as during the regular sessions.

The much-criticized pension plan which lawmakers enacted for themselves during the 1966 session of the General Assembly, Mr. Wills said, was the result of the unrealistically low salaries paid to legislators.

The Wills Commission, itself, has been critical of the pension plan and has recommended that legislative salaries be raised to \$6,500 a year, not \$8,000, "until the present legislative pension plan is brought into more reasonable limits."

The plan allows legislators to receive as much as \$200 a month pension after twenty years by contributing 15 per cent of their legislative salaries to the pension fund annually.

# FIGHT LIKELY ON ASSEMBLY

## Convention Tomorrow Gets Size And District Plan

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commended in a report which is drawing opposition on the grounds of governmental philosophy and practical politics.

### Altered Number And District

Submitted by the Legislative Branch Committee, the report retains the bicameral General Assembly but reduces it from 185 to 140 members and requires senators and delegates to run from single-member election districts.

Unicameralists will attempt to win their one-house cause with logic.

The more politically minded convention delegates have been waging a quiet, cold war in the State House corridors to rally support against the smaller legislature and the single-member district plan.

With the battle line thus drawn, the outcome of the debate on the Legislative Committee report may cast light on the eventual direction taken by the convention.

### May Show Direction

The report, the first real hot item to reach the convention floor, could indicate whether those delegates supporting sweeping change in the State Government are able to defeat the forces desiring little, if any, change from the present Constitution to the new.

Tuesday's debate may also answer a question which has been nagging at delegates and observers for weeks—how will the gathering react to and handle a controversial item on the convention floor.

### 2 Modes Of Decision

The debate and discussion last week when the 142 delegates adopted the first two provisions of the new constitution were inconclusive.

A committee report essentially recommending constitutional status quo for the State militia caused unexpected trouble Tuesday and consumed nearly 3½ hours of debate before it was adopted.

On the other hand, the delegates had little to say Friday when they voted to include in the constitution a new post-audit function for the Maryland legislature.

### Stronger Debate Expected

Surface indications point to Tuesday's debate producing more energetic arguments and amendments than the State militia provision.

H. Vernon Eney, the convention president, said he hopes to complete final action on the legislative report by Tuesday evening.

Delegate Francis X. Gallagher (3d, Baltimore), Legislative Committee chairman and the report's floor manager, said that while he is shooting for one day he feels the matter may take two.

Mr. Eney explained that before the discussion begins Tuesday, delegates will be asked to approve a debate schedule placing time limits on consideration of the items in the report.

## Reschedule

The convention voted today over the opposition of its president, H. Vernon Eney, to begin what is expected to be its hottest debate so far at noon tomorrow, rather than the scheduled time of 10 A.M.

The two-hour delay on consideration of the controversial report by the Legislative Branch Committee was approved in order to permit printing and distribution of minority reports by members of the committee.

The convention tuned down a suggestion by Delegate Vincent J. Vecera (6th, Baltimore) that all business be canceled tomorrow in deference to election day in Baltimore city.

In a related matter the convention leadership agreed today to permit more time for the scheduled debate on the Legislative Committee recommendations for a greatly restructured General Assembly.

At the insistence of Legislative Committee members, Delegate Ralph W. Powers (Montgomery), chairman of the Agenda Committee, added another 90 minutes to the approximately 5½ hours previously assigned for consideration of majority and minority reports.

Not included in the formal schedule of debate which delegates will be asked to approve tomorrow is time which could be consumed by amendments offered from the convention floor.

In light of the longer debate schedule and later starting hour, Mr. Eney conceded late today that, barring a session running late into the evening, the debate on the legislative report will not be concluded tomorrow as had originally been hoped.

## Legislative Pensions

The chairman of the Legislative Branch Committee asked General Assembly leaders today to reassess the legislative pension structure in light of anticipated convention action raising House and Senate salaries from \$2,400 to \$8,000 a year.

"The proposed salary increase will have a direct bearing on future pension benefits," Delegate Francis X. Gallagher (3d, Baltimore), the chairman, said in a letter to Delegate Marvin H. Mandel (D., 5th, Baltimore), the House speaker, and Senator William S. James (D., Harford), president of the Senate.

The letter was written with the concurrence of the committee after the members reviewed copies of a background report on legislative pensions paid under the terms of a 1966 law.

## RELIEF IS SOUGHT FOR LEGISLATURE

### Mandel Expects Requests For Time, Staff, Money

BY GENE OISHI

Asserting that the Maryland legislature has not kept up with the times, the speaker of the House of Delegates said yesterday that legislators are likely to be plugging next year for more time, more staff and higher salaries.

Delegate Marvin Mandel (D., 5th Baltimore), the speaker, said the Legislative Council will begin deliberations in two weeks on ways of strengthening the General Assembly to cope with the complexities of the legislative process.

The Legislative Council, frequently called the between-sessions study group of the General Assembly, will be guided by a report prepared by the Eagle-

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## Aid Sought For Legislators; Mandel Predicts Requests

BY GENE OISHI

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ton Institute of Politics at Rutgers University.

The report, commissioned by the Legislative Council, contains 92 recommendations for strengthening the General Assembly. Ironically, one of them calls for abolishing the Legislative Council and replacing it with standing committees of the House and Senate that would function year-round.

Mr. Mandel said the study was commissioned because it was felt that the legislative process in Maryland "has not been moving forward, as it could have been."

The General Assembly, like many other State legislatures throughout the nation, has not been modernized and kept up to date, the speaker said.

An increase in staff, Mr. Mandel said, was "an absolute must" if legislators are to keep abreast of the ever growing executive budget, along with the crush of myriad bills on which they must decide.

#### Lengthening Session

The Eagleton report recommended lengthening the current 70-day legislative session to 90 days and Mr. Mandel said he was in general agreement.

But he added that he would have to consider further the recommendation that the 90 days be split into three segments: a two-week introductory session for organizing; a three-week recess for committee work; and eight weeks for regular sessions.

The recommendation to increase the salaries of the legislators from the current \$2,500 a year to \$8,500 was in line with suggestions made in the past, Mr. Mandel said.

While raising salaries would not guarantee that better candidates will run for office, Mr. Mandel said, "Keeping them low is going to attract worse people."

Many of the suggestions for strengthening the streamlining

the legislature are being considered by the Constitutional Convention, the speaker said. But if the convention fails to adopt them, Mr. Mandel said, the General Assembly may have to propose them as constitutional amendments.

One item that does not require any constitutional changes is the enlargement of the legislative staff.

At present, the only permanent service agency available to legislators is the Department of Legislative Reference, with a staff of twelve. The department, which has a budget of \$148,000 this year, does research, drafts bills and keeps tabs on all bills introduced.

#### New Department

The Eagleton report recommended that the operation be substantially enlarged by the creation of a department of legislation with four divisions:

1. Bureau of legislative research.
2. Bureau of policy research.
3. Bureau of fiscal research.
4. Bureau of post audit.

The last bureau would assume the duties now performed by the State auditor, who is responsible to the executive branch.

Giving the legislature the ultimate responsibility for auditing the books of the State agencies would place an additional check on the operations of the executive branch.

#### Powers Eroded

The Eagleton report said that throughout the country, the powers and responsibilities of legislatures have been eroded.

"In fact, if not in theory," the report said, "the governor has become the chief legislator in nearly every state of the nation. Maryland is no exception.

"Throughout the country, governors tend to dominate—establishing goals, outlining programs, deciding priorities and pressuring the legislature to go along."

# Greater Power, Pay Asked For Assembly

By Jonathan Cottin

(Staff Correspondent)

Annapolis—A broad plan to upgrade the Maryland Legislature by granting it greater authority and giving its members sizable pay raises was presented to the General Assembly leadership today.

The blueprint for change, drawn by the Eagleton Institute of Politics at Rutgers University, is geared to make the State Legislature "coequal" with the Governor, a man who tends to "dominate" now, says the 285-page document.

Among key proposals, listed as part of a 92-point comprehensive plan, are:

1. Bring wages for lawmakers to \$8,500 a year, up from the present \$2,400 to make the job more attractive.

2. Lengthen the annual sessions from 70 to 90 days and split the meetings to allow interim work by committees.

3. Abolish the Legislative Council, substituting frequent between-sessions meetings of major joint standing committees.

4. Give legislators veto power over executive department spending requests and authority to increase their own budgets.

5. Create a General Assembly public information office to enhance the image.

6. Empower committees with authority to subpoena witnesses, a right now denied.

## \$20,000 Survey

In presenting the \$20,000 survey to House Speaker Marvin Mandel and Senate President William S. James, author Alan Rosenthal explained: "We have not drawn a blueprint for the perfect legislature, if any such thing exists—nor have we attempted to hocus-pocus a legislature of our very own."

Instead, said the political science professor, "We have tried to offer proposals that are effective and workable, not in California, New York or New Jersey, but in Maryland."

A year in preparation, the study maintains that "Legislators, however self-seeking, are the best means yet devised for insuring responsive and effective administrative performance" because they are closest to the people.

## Strong Governors

"In fact, if not in theory, the governor has become the chief legislator in nearly every state of the nation and Maryland is no exception," says the Eagleton survey.

It chides the executive branch because its department heads "often have the largest voice in determining the kind and shape of programs to be administered by the bureaucrats under their direction, frequently with only the mere legislative con-

# Urged In Political Institute Study Broad Reform Of Md. Legislature